

STATE LAW LIBRARY

CHAPTER 722 ²⁶

S. B. No. 528

An Act relating to the creation of the State Law Library to be operated and administered by the State Law Library Board; transferring the function, duties and libraries of the library of the Supreme Court, Court of Criminal Appeals, and the Attorney General's office to the State Law Library; transferring to the board the money appropriated to the Supreme Court, Court of Criminal Appeals, and Attorney General's office for the operation and administration of their libraries; repealing Article 1722, Revised Civil Statutes of Texas, 1925, as amended; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. In this Act, unless the context requires a different meaning:

- (1) "Library" means the State Law Library.
- (2) "Board" means the State Law Library Board.
- (3) "Director" means the director of the State Law Library.

Sec. 2. The functions and duties now performed by the library of the Supreme Court under Article 1722, Revised Civil Statutes of Texas, 1925, are transferred to the State Law Library, which is established as an independent agency of the State.

Sec. 3. (a) The library is under the control of, and administered by, the State Law Library Board composed of the chief justice of the Supreme Court, the presiding judge of the Court of Criminal Appeals, and the Attorney General. Each member of the board may designate a personal representative to serve for him.

(b) Members of the board or their designated representatives are not entitled to compensation for service on the board, but each member or representative is entitled to reimbursement for actual and necessary expenses incurred in attending meetings and performing official duties, to be paid out of funds appropriated to the board.

Sec. 4. The library shall maintain a legal reference facility to include the statutes and case reports from the several states and legal journals and periodicals. The facility shall be maintained for the use and information of the members and staff of the:

- (1) Supreme Court;
- (2) Court of Criminal Appeals;
- (3) Attorney General's Department;
- (4) commissions, agencies, and boards of the other branches of State government; and
- (5) citizens of the State.

Sec. 5. The board shall employ a director of the library and shall fix his salary. The director shall be accountable only to the board and shall serve at the pleasure of the board. The director may, with the approval of the board, employ professional and clerical personnel at salaries fixed by the board.

Sec. 6. All books, documents, files, records, equipment, and property of all kinds owned and used by the Supreme Court Library, the Court

26. Vernon's Ann.Civ.St. art. 5444b, §§ 1-9.

of Criminal Appeals library, and the Attorney General's library are transferred to the State Law Library.

Sec. 7. During the biennium ending August 31, 1973, the Comptroller of Public Accounts is hereby authorized and directed to set up an account to be known as the State Law Library Fund and is authorized and directed to transfer into such account from time to time moneys appropriated to the Supreme Court for the purpose of operating and administering the Supreme Court Library. For the purpose of operating and administering the library for the Court of Criminal Appeals, the Comptroller is authorized and directed to transfer into such account from time to time such amounts as may be necessary for such court's appropriation for consumable supplies and materials or other designation for its library purposes. For the purpose of operating and administering the library for the Attorney General, the Comptroller is authorized and directed to transfer into such account from time to time such amounts as may be necessary from the appropriation to the Attorney General's office for consumable supplies and materials or other designation for its library purposes. Such transfers may be made on the direction of the Chief Justice of the Supreme Court, the Presiding Judge of the Court of Criminal Appeals, and the Attorney General, respectively. Moneys in the State Law Library Fund may be expended by the board or its duly authorized representative for the purpose of maintaining, operating, and keeping up to date the State Law Library. Moneys appropriated for use of the libraries of the Supreme Court, Court of Criminal Appeals, and the Attorney General's office during the present biennium shall not be affected by this Act.

Sec. 8. The library may transfer any books, papers, and publications located in and belonging to the library to the library of the Law School of The University of Texas. The transfer may be made only on the unanimous vote of the members of the board. By majority vote, the board may recall any books, papers, or publications transferred by authority of this section.

Sec. 9. The board shall make all reasonable rules and regulations which are necessary to insure efficient operation of the library.

Sec. 10. Article 1722, Revised Civil Statutes of Texas, 1925, as amended, is repealed.²⁷

Sec. 11. The importance of this legislation and the crowded condition of the calendars in both Houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and this Rule is hereby suspended; and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed the Senate on May 6, 1971: Yeas 31, Nays 0; May 31, 1971, Senate concurred in House amendments: Yeas 31, Nays 0; passed subject to Article III, Section 49a of the Constitution; passed the House on May 31, 1971, with amendments: Yeas 141, Nays 0; passed subject to Article III, Section 49a of the Constitution.

Approved June 8, 1971.

Effective June 8, 1971.

27. Vernon's Ann.Civ.St. art. 1722, repealed.